

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

**Application Number**

**10/771,284**

**Filing Date**

**February 5, 2004**

**First Named Inventor**

Richard ASSAKER, et al

**Art Unit**

3733

**Examiner Name**

**Jerry L. Cumberland**

**Sheet**

**1 of 3**

**Attorney Docket Number**

**64118.000046**

**U.S. PATENT DOCUMENTS**

[illegible]

**EXAMINER SIGNATURE**

DATE CONSIDERED

03/18/05

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**FOREIGN PATENT DOCUMENTS**[illegible]

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				<b>Filing Date</b>	February 5, 2004	
				<b>First Named Inventor</b>	Richard Assaker	
				<b>Art Unit</b>	3733	
				<b>Confirmation No.</b>	3238	
				<b>Examiner Name</b>	Jerry L. Cumberlandge	
<b>Sheet</b>	1	of	3	<b>Attorney Docket Number</b>	64118.000046	
<b>U.S. PATENT DOCUMENTS</b>						
<b>*Examiner Initials</b>	<b>Cite No.</b>	<b>DOCUMENT NUMBER Number - Kind Code (if known)</b>	<b>Publication Date MM-DD-YYYY</b>	<b>Name of Patentee or Applicant of Cited Document</b>	<b>Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear</b>	
<b>FOREIGN PATENT DOCUMENTS</b>						
<b>*Examiner Initial</b>	<b>Cite No.</b>	<b>FOREIGN PATENT DOCUMENT</b>	<b>Publication Date MM-DD-YYYY</b>	<b>Name of Patentee or Applicant of Cited Document</b>	<b>Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear</b>	<b>TRANSLATION</b>
		<b>Country Code:</b>	<b>Number - Kind Code (if known)</b>			<b>YES</b> <b>NO</b>
<b>OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS</b>						
<b>*Examiner Initials</b>	<b>Cite No.</b>	<b>Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published</b>				<b>TRANSLATION</b>
		Defendants and Counterclaimants Medtronic Sofamor Danek, Inc. and Medtronic Sofamor Danek USA, Inc., and Counterclaimant SDGI Holdings, Inc.'s Memorandum of Points and Authorities in Support of Its Motion for Partial Summary Judgment of Invalidity of U.S. Patent No. 6,224,602 (filed October 14, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT(ANx) (C.D. Cal. filed February 4, 2003).				
		Defendants and Counterclaimants Medtronic Sofamor Danek, Inc. and Medtronic Sofamor Danek USA, Inc., and Counterclaimant SDGI Holdings, Inc.'s Statement of Uncontroverted Facts and Conclusions of Law in Support of Its Motion for Partial Summary Judgment of Invalidity of U.S. Patent No. 6,224,602 (filed October 14, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT(ANx) (C.D. Cal. filed February 4, 2003).				
		Declaration of Stephanie J. Kravetz in Support of Defendants' and Counterclaimants' Motion for Partial Summary Judgment of Invalidity of U.S. Patent No. 6,224,602 (filed October 14, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , including Exhibits 1 - 39, Case No. SACV 03-110 GLT(ANx) (C.D. Cal. filed February 4, 2003).				
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<b>Sheet</b>	<b>2</b>	<b>of</b>	<b>3</b>	<b>Attorney Docket Number</b>		<b>64118.000046</b>	
				Defendants and Counterclaimants Medtronic Sofamor Danek, Inc. et al.'s Statement of Genuine Factual Issues and Disputed Conclusions of Law in Opposition to Cross's Cross-Motion for Partial Summary Judgment of No Validity and No Unenforceability of U.S. Patent No. 6,224,602 (filed November 19, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT(ANx) (C.D. Cal. filed February 4, 2003).			
				Defendants' and Counterclaimants' Memorandum of Law: (1) in Reply to Plaintiff's Opposition to Motion for Summary Judgment of Invalidity, And (2) In Opposition to Plaintiff's Counter-Motion for Partial Summary Judgment of No Invalidity And No Unenforceability of U.S. Patent No. 6,224,602 (filed November 19, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT(ANx) (C.D. Cal. filed February 4, 2003)			
				Declaration of Robert A. Auchter in Support Of Defendants and Counterclaimants Medtronic Sofamor Danek, Inc. and Medtronic Sofamor Danek USA, Inc.'s Memorandum of Points and Authorities in Opposition to Cross's Cross-Motion for Partial Summary Judgment Of No Invalidity And No Unenforceability of U.S. Patent No. 6,224,602 (filed November 19, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , including Exhibits 1 - 7, Case No. SACV 8:03-110 GLT(ANx) (C.D. Cal. filed February 4, 2003).			
				Order on (1) Cross-Motions For Partial Summary Judgment Re: Invalidity of The '602 Patent; (2) Plaintiff's Motion For Partial Summary Judgment RE: Infringement of the '602 Patent (filed April 11, 2005), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT (ANx) (C.D. Cal. filed February 4, 2003).			
				Cross' Memorandum of Points of Authorities (1) In Opposition to Medtronic's Motion for Partial Summary Judgment of Invalidity of U.S. Patent No. 6,224,602, And (2) In Support of It's Cross-Motion for Partial Summary Judgment of No Invalidity and No Unenforceability Of U.S. Patent No. 6,224,602 (November 3, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT (ANx) (C.D. Cal. filed February 4, 2003).			
				Plaintiff and Counterclaim Defendant Cross Medical Products, Inc.'s Genuine Issues of Material Fact In Opposition to Defendants and Counterclaimants Medtronic Sofamor Danek, Inc. And Medtronic Sofamor Danek USA, Inc. and Counter-Claimant SDGI Holdings, Inc.'s Statement of Uncontroverted Facts and Conclusions of Law in Support of Its Motion For Partial Summary Judgment of Invalidity of U.S. Patent No. 6,224,602 (November 3, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT (ANx) (C.D. Cal. filed February 4, 2003).			
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				Declaration of Mark A. Finkelstein (1) In Opposition to Medtronic's Motion for Partial Summary Judgment of Invalidity of U.S. Patent No. 6,224,602, And (2) In Support Of Its Cross-Motion For Partial Summary Judgment of No Invalidity And No Unenforceability Of U.S. Patent No. 6,224,602 (November 1, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , including Exhibits A - P, Case No. SACV 03-110 GLT (ANx) (C.D. Cal. filed February 4, 2003).			
				Cross Medical Products, Inc.'s Notice of Motion and Motion for Partial Summary Judgment of Defendants' Affirmative Defense of Invalidity, Counterclaim of Invalidity, And Other Affirmative Defenses Regarding U.S. Patent No. 6,224,602 (filed November 3, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT (ANx) (C.D. Cal. filed February 4, 2003).			
				Cross' Reply Brief in Support Of Its Cross-Motion For Partial Summary Judgment of No Invalidity And No Unenforceability Of U.S. Patent No. 6,224,602 (filed December 6, 2004), <i>Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al.</i> , Case No. SACV 03-110 GLT (ANx) (C.D. Cal. filed February 4, 2003).			
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